

INTERNATIONAL SEARCH REPORT

International Application No
PCT/GB2005/000610

A. CLASSIFICATION OF SUBJECT MATTER
IPC 7 G06F9/445 G06F9/44

According to International Patent Classification (IPC) or to both national classification and IPC

B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)
IPC 7 G06F

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Electronic data base consulted during the international search (name of data base and, where practical, search terms used)

EPO-Internal, IBM-TDB, INSPEC, COMPENDEX

C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category °	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	BAILEY E C: "Maximum RPM - Taking the Red Hat Package Manager to the Limit" RPM DOCUMENTATION, June 1998 (1998-06), pages 3-13, 16-18, 33, 52, 200, 237-239, XP002351753 the whole document -----	1-15
A	US 2003/182626 A1 (DAVIDOV ERAN ET AL) 25 September 2003 (2003-09-25) the whole document -----	1, 3-9, 12, 13
A	WO 01/42909 A (SUN MICROSYSTEMS, INC) 14 June 2001 (2001-06-14) the whole document -----	1, 6, 8-10, 12-14
		-/-

Further documents are listed in the continuation of box C.

Patent family members are listed in annex.

° Special categories of cited documents:

- *A* document defining the general state of the art which is not considered to be of particular relevance
- *E* earlier document but published on or after the international filing date
- *L* document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)
- *O* document referring to an oral disclosure, use, exhibition or other means
- *P* document published prior to the international filing date but later than the priority date claimed

- *T* later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention
- *X* document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone
- *Y* document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art.
- *&* document member of the same patent family

Date of the actual completion of the international search

28 October 2005

Date of mailing of the international search report

09/11/2005

Name and mailing address of the ISA

European Patent Office, P.B. 5818 Patentlaan 2
NL - 2280 HV Rijswijk
Tel. (+31-70) 340-2040, Tx. 31 651 epo nl,
Fax: (+31-70) 340-3016

Authorized officer

Carciofi, A

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/GB2005/000610

C.(Continuation) DOCUMENTS CONSIDERED TO BE RELEVANT

Category °	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
A	<p>SAPIRO M: "Re: setting executable bit on uploaded file - Message-ID: <38FC82EE.7C8C188C@value.net>" USENET MESSAGE, 'Online! 18 April 2000 (2000-04-18), XP002351754 comp.protocols.kermit.misc Retrieved from the Internet: URL:http://groups.google.com/group/comp.protocols.kermit.misc/msg/6d11eead89ed8edf?dmode=source&hl=en> 'retrieved on 2005-10-28! the whole document</p> <p>-----</p>	11,15

INTERNATIONAL SEARCH REPORT

Information on patent family members

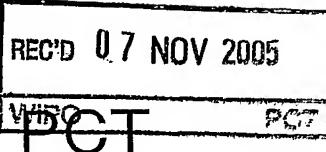
International Application No

.:/GB2005/000610

Patent document cited in search report	Publication date	Patent family member(s)		Publication date
US 2003182626	A1	25-09-2003		NONE
WO 0142909	A	14-06-2001	AT 243334 T	15-07-2003
			AU 2079701 A	18-06-2001
			DE 60003457 D1	24-07-2003
			DE 60003457 T2	06-05-2004
			EP 1236089 A2	04-09-2002

PATENT COOPERATION TREATY

From the
INTERNATIONAL SEARCHING AUTHORITY



To:

see form PCT/ISA/220

WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY (PCT Rule 43bis.1)

Date of mailing
(day/month/year) see form PCT/ISA/210 (second sheet)

Applicant's or agent's file reference
see form PCT/ISA/220

FOR FURTHER ACTION

See paragraph 2 below

International application No.
PCT/GB2005/000610

International filing date (day/month/year)
18.02.2005

Priority date (day/month/year)
19.02.2004

International Patent Classification (IPC) or both national classification and IPC
G06F9/445, G06F9/44

Applicant
QUALCOMM CAMBRIDGE LIMITED

1. This opinion contains indications relating to the following items:

- Box No. I Basis of the opinion
- Box No. II Priority
- Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- Box No. IV Lack of unity of invention
- Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- Box No. VI Certain documents cited
- Box No. VII Certain defects in the international application
- Box No. VIII Certain observations on the international application

2. FURTHER ACTION

If a demand for international preliminary examination is made, this opinion will usually be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA"). However, this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1bis(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of three months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

For further options, see Form PCT/ISA/220.

3. For further details, see notes to Form PCT/ISA/220.

Name and mailing address of the ISA:



European Patent Office - P.B. 5818 Patentlaan 2
NL-2280 HV Rijswijk - Pays Bas
Tel. +31 70 340 - 2040 Tx: 31 651 epo nl
Fax: +31 70 340 - 3016

Authorized Officer

Carciofi, A

Telephone No. +31 70 340-3695



Box No. I Basis of the opinion

1. With regard to the **language**, this opinion has been established on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.
 - This opinion has been established on the basis of a translation from the original language into the following language , which is the language of a translation furnished for the purposes of international search (under Rules 12.3 and 23.1(b)).
2. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application and necessary to the claimed invention, this opinion has been established on the basis of:
 - a. type of material:
 - a sequence listing
 - table(s) related to the sequence listing
 - b. format of material:
 - in written format
 - in computer readable form
 - c. time of filing/furnishing:
 - contained in the international application as filed.
 - filed together with the international application in computer readable form.
 - furnished subsequently to this Authority for the purposes of search.
3. In addition, in the case that more than one version or copy of a sequence listing and/or table relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.
4. Additional comments:

**WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY**

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**Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or
industrial applicability; citations and explanations supporting such statement**

1. Statement

Novelty (N)	Yes:	Claims	1-15
	No:	Claims	
Inventive step (IS)	Yes:	Claims	
	No:	Claims	1-15
Industrial applicability (IA)	Yes:	Claims	1-15
	No:	Claims	

2. Citations and explanations

see separate sheet

Re Item V

Reasoned statement with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Reference is made to the following document:

D1: BAILEY E C: "Maximum RPM - Taking the Red Hat Package Manager to the Limit"
RPM DOCUMENTATION, June 1998 (1998-06), pages 3-13, 16-18, 33, 52, 200,
237-239, XP002351753

2. The application does not meet the requirements of Article 6 PCT, because the subject-matter of claims 8 and 12 is not clear.

In order to carry out a meaningful examination, in the above mentioned claims the term *data container* will be interpreted as meaning a computer readable medium, the term *container* being already used with another meaning in the corresponding method claims.

3. The present application does not meet the criteria of Article 33(1) PCT, because the subject-matter of claim 1 is not inventive in the sense of Article 33(3) PCT.
 - 3.1. Document D1 is regarded as being the closest prior art to the subject-matter of claim 1 and, insofar as this claim can be understood, it discloses the following features thereof (within parentheses are the passages applying to this document and the terminology used therein).

A method of provisioning a program to a device (package management), the method comprising the steps of

a) creating a container (package), the container comprising:

executable code for a program (program files); one or more content resources for use in the program (data files) and metadata relating to the or each content resource (documentation, configuration information, files' permissions), the executable code, the or each content resource and the metadata being stored as serialised objects within the container (page 4, line 32 - page 5, line 10; page 12,

line 5 - page 13, last line);

- b) *transmitting the container to one or more devices* (obtaining the package from a remote site)(page 18, lines 9-14);
- c) *extracting the contents of the container at the or each device* (installing the package)(page 16, lines 4-12).

3.2. The subject-matter of claim 1 therefore differs from this method known from document D1 in that the claimed method comprises:

- a) *executable code for a user interface*, whereas in document D1 it is for a generic program;
- d) *executing the code to generate a user interface for the device.*

3.3. As to the first differing feature, although document D1 does not explicitly address the management of packages specific for user interfaces, it is clear that selecting, as the program contained in the package, one which would generate a user interface, is merely one of the equally likely possibilities from which the skilled person would select, without exercising any inventive activity; moreover, document D1 suggests that the content of a package could be the product XFree86 (page 52, lines 9-10), a well known implementation of the X Window System, which includes a graphical user interface.

As to the second differing feature, it is regarded as being a logical consequence to the installation and its presence, therefore, obvious to the skilled person.

3.4. The subject-matter of claim 1, therefore, does not involve an inventive step (Art. 33(3) PCT).

The same reasoning applies, mutatis mutandis, to the subject-matter of claims 6, 9 and 13 which, therefore, does also not involve an inventive step (Art. 33(3) PCT).

As to claims 8 and 12, their subject-matter does not involve an inventive step because storing instructions on a commonly available computer readable medium, said instructions implementing a not inventive method, is regarded as being obvious to the

**WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING
AUTHORITY (SEPARATE SHEET)**

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skilled person.

3.5. As to dependent claims 2-5, 7, 10-11 and 14-15, their subject-matter is regarded as being either not new (Art. 33(2) PCT) or not inventive (Art. 33(3) PCT), the additional features present therein being either already disclosed in document D1 or their presence being obvious to the skilled person (see also the citations in the international search report).

Andrea Carciofi
(Examiner)